IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Bail Appl..No. 1217 of 2007()

CRMP.552/2007 of SESSIONS COURT,KOLLAM

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: PETITIONER/ACCUSED 3 TO 6

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1. SAJITH, S/O SATHYAPALAN(A3),
   RESIDING AT SAJIBHAVAN, CHERUPOIKAMURI,
   PAVITHRESWARAM VILLAGE, KOTTARAKARA,
   KOLLAM.

2. SHAN, S/O BABU,(A4)
   RESIDING AT SHANMANZILMALANADA MURI,
   PAVITHRESWARAM VILLAGE,KOTTARAKARA,
   KOLLAM.

3. SUMESH, AGED 23, S/O RAMACHANDRAN PILLAI
   (A5), RESIDING AT CHANDRAVILASOM VEEDU,
   PAVITHRESWARAM MURI, PAVITHRESWARAM VILLAGE,
   KOTTARAKARA, KOLLAM.

4. MOHANKUMAR,S/O RAMAKRISHNANPILLAI,(A6)
   RESIDING AT THUNDILVEEDU, PAVITHRESWARAM MURI,
   PAVITHRESWARAM VILLAGE, KOTTARAKARA,KOLLAM.

BY ADV. SRI.R.S.KALKURA
SRI.HARISH GOPINATH

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE,EZHUKONE POLICE STATION,
THROUGH PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.1217 OF 2007

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DATED THIS THE 1ST DAY OF MARCH, 2007

O R D E R

Petitioners who are accused Nos.3 to 6 in Crime No.52/07 of Ezhukone Police Station for offences punishable under sections 143, 147, 148, 427, 353, 308 and 296 read with section 149 IPC and section 27 of the Arms Act, seek their enlargement on bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 11.45 PM on 11.2.2007, about 20 CPM workers armed with deadly weapons like sword, iron rod, etc. attacked certain RSS workers during the festival of Malanada Sreesakuni Temple in Pavithreshwaram Village. The petitioners were arrested on the same day.

4. Having regard to the facts and circumstances of the case and the duration of judicial custody of the petitioners, I am inclined to grant bail to the petitioners, but with effect from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 08.03.2007 on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Kottarakkara and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn